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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: D'Agati, et al
SERIAL NO.: 09/950,040
FILED: September 10, 2001
FOR: Apparatus System and Method for an Improved Mobile Station
And Base Station

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE
TO FILE MISSING PARTS OF APPLICATION-FILING DATE GRANTED

In response to the "Notice to File Missing Parts of Application -- Filing
Date Granted," mailed October 11, 2001, applicant hereby submits the following:

1. Declaration and Power of Attorney of the Inventors
2. Check in the amount of \$1560 to cover the filing fee.
3. A copy of the "Notice to File Missing Parts of Application -- Filing Date
Granted.

Respectfully submitted,

Thomas A. O'Rourke
Reg. No.: 27,665
WYATT, GERBER, & O'ROURKE, L.L.P.
99 Park Avenue
New York, New York 10016
(212) 681-0800



CERTIFICATE OF MAILING

COPY OF PAPERS
ORIGINALLY FILED

I hereby certify that the foregoing document and fees were mailed by first class mail, postage prepaid, in an envelope addressed to the Hon. Commissioner of Patents and Trademarks, Washington D.C. 20231, this 11th day of December, 2001.

Thomas A. O'Rourke

Thomas A. O'Rourke

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023
www.uspto.gov



| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/950,040 | 09/10/2001 | Gary Matthews | |

CONFIRMATION NO. 8656

FORMALITIES LETTER



OC000000006885475

Thomas A. O'Rourke
Wyatt, Gerber & O'Rourke
99 Park Avenue
New York, NY 10016

Date Mailed: 10/11/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$682.
 - \$522 for 29 total claims over 20.
 - \$160 for 2 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1522.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/28/2002 00000006 093:0040
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169.00 00
522.00 00
130.00 00

01 FC:10
02 FC:10
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04 FC:10